FINAL REGULATION ORDER

Amend Section 60030, Article 3, Subchapter 1, Chapter 1, Division III, Title 17, California Code of Regulations to read:

§60030. Permit Application Review and Processing.

(a) The procedures and time periods set forth in this subsection shall apply to all permit applications received by the board, except for those permit applications specified in subsection (b).

(1) Within 30 days of receipt of an application for a permit, as defined in Government Code Section 15375(a), the executive officer shall inform the applicant, in writing, either that the application is complete and accepted for filing or that the application is deficient and identify the specific information required to make the application complete.

(2) Within 15 days of receipt of additional information provided in response to a determination by the executive officer that an application is deficient, the executive officer shall inform the applicant, in writing, either that the new information is sufficient to make the application complete and that the application is accepted for filing, or that the application is deficient and shall identify the specific information required to make the application complete.

(3) Within 90 days after an application is accepted for filing, the executive officer shall act to approve or to disapprove the application.

(b) For the categories listed below, permit applications shall be processed as provided in the procedures specified in subsection (a), in accordance with the following time periods:

Type of Permit	No. of days after receipt of application within which executive officer will inform applicant either that the application is complete or that additional information is required	No. of days after receipt of additional information within which executive officer will determine whether the information submitted makes the application complete	No. of days after application is accepted for filing within which executive officer will act on the application
Emergency variance for lead in gasoline[1]	5	5	10
Emergency variance for sulfur in gasoline or diesel[2]	5	5	10
Waiver for lead in gasoline[3]	15	15	45
Approval of independent testers[4]	15	15	90[5]
Certification of vapor recovery systems[6]	60	30	120

[1]Title 13, ~~California Administrative Code~~ California Code of Regulations, Section 2253.2
[2]Title 13, ~~California Administrative Code~~ California Code of Regulations, Section 2252
[3]Title 13, ~~California Administrative Code~~ California Code of Regulations, Section 2253.2
[4]Title 17, ~~California Administrative Code~~ California Code of Regulations, Section 91207
[5]This period applies to each test, as specified in Section 91201 of Title 17, ~~California Administrative Code~~ California Code of Regulations, for which approval is requested.
[6]Title 17, California Code of Regulations, Section 94011

(c) The executive officer may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

(d) The time periods in subsections (a) or (b) may be extended by the executive officer for good cause as provided by Government Code Section 15376.

(e) Based on the state board's experience in processing permits, from the receipt of the initial application to the final permit decision, during the two years immediately preceding the proposal of these regulations:

(1) the minimum time for processing a permit was 5 days;
(2) the maximum time for processing a permit was 567 days; and
(3) the estimated median time for processing a permit was 30 days.

NOTE: Authority cited: Sections 39600 and 39601, Health and Safety Code. Reference: Sections 15375 and 15376, Government Code.

Amend Sections 94010, 94011, 94148, 94149, and 94154, Article 1, Subchapter 8, Chapter 1, Division III, Title 17, California Code of Regulations to read:

94010. Definitions.

The definitions of common terms and acronyms used in the certification and test procedures specified in Sections 94011, 94012, 94013, 94014, and 94015 are listed in D-200, "Definitions for ~~Certification Procedures and Test Procedures for~~ Vapor Recovery ~~Systems~~ Procedures", adopted April 12, 1996, as last amended ~~March 17, 1999~~ February 1, 2001, which are incorporated herein by reference.

NOTE: Authority cited: Sections 39600, 39601, 39607, and 41954, Health and Safety Code. Reference: Sections 39515, 41954, 41959, 41960 and 41960.2, Health and Safety Code.

94011. Certification of Vapor Recovery Systems of Dispensing Facilities.

The certification of gasoline vapor recovery systems at dispensing facilities (service stations) shall be accomplished in accordance with the Air Resources Board's CP-201, "Certification Procedure for Vapor Recovery Systems of Dispensing Facilities" which is herein incorporated by reference. (Adopted: December 9, 1975, as last amended ~~April 28, 2000~~ February 1, 2001).

The following test procedures (TP) cited in CP-201 are also incorporated by reference.

TP-201.1 – "~~Determination of~~ Volumetric Efficiency ~~of~~ for Phase I Systems ~~Vapor Recovery Systems of Dispensing Facilities without Assist Processors~~" (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.1A – "~~Determination of Efficiency of Phase I Vapor Recovery Systems of Dispensing Facilities with Assist Processors~~ Emission Factor For Phase I Systems at Dispensing Facilities" (Adopted: April 12, 1996, as last amended ~~March 17, 1999~~ February 1, 2001)

TP-201.2 – "~~Determination of~~ Efficiency and Emission Factor for ~~of~~ for Phase II ~~Vapor Recovery~~ Systems ~~of Dispensing Facilities~~" (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.2A – "Determination of Vehicle Matrix for Phase II ~~Vapor Recovery Systems of Dispensing Facilities~~" (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.2B – "~~Determination of Flow vs. Pressure for Equipment in Phase II Vapor Recovery Systems of Dispensing Facilities~~ Pressure Integrity of Vapor Recovery Equipment" (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.2C – "~~Determination of~~ Spillage ~~of~~ from Phase II ~~Vapor Recovery~~ Systems ~~of Dispensing Facilities~~" (Adopted: April 12, 1996, as last amended February 1, 2001)

TP-201.2D – "Post-Fueling Drips From Nozzle Spouts" (Adopted: February 1, 2001)

TP-201.2E - "Gasoline Liquid Retention in Nozzles and Hoses" (Adopted: February 1, 2001)

TP-201.2F – “Pressure-Related Fugitive Emissions” (Adopted: February 1, 2001)

TP-201.2H – “Determination of Hazardous Air Pollutants from Vapor Recovery Processors” (Adopted: February 1, 2001)

TP-201.2O – "Pressure Integrity of Drop Tube Overfill Protection Devices" (Adopted: February 1, 2001)

TP-201.3 – “Determination of 2 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities” (Adopted: April 12, 1996, as last amended March 17, 1999)

TP-201.3A – “Determination of 5 Inch WC Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities” (Adopted: April 12, 1996)

TP-201.3B - "Determination of Static Pressure Performance of Vapor Recovery Systems of Dispensing Facilities with Above-Ground Storage Tanks" (Adopted: April 12, 1996)

TP-201.3C – “Determination of Vapor Piping Connections to Underground Gasoline Storage Tanks (Tie-Tank Test)” (Adopted: March 17, 1999)

TP-201.4 – “Determination of Dynamic Pressure Performance of Vapor Recovery Systems of Dispensing Facilities” (Adopted: April 12, 1996, as last amended April 28, 2000)

TP-201.5 – “~~Determination (by Volume Meter) of~~ Air to Liquid Volume Ratio ~~of Vapor Recovery Systems of Dispensing Facilities~~” (Adopted: April 12, 1996, as last amended February 1. 2001)

TP-201.6 – “Determination of Liquid Removal of Phase II Vapor Recovery Systems of Dispensing Facilities” (Adopted: April 12, 1996, as last amended April 28, 2000)

NOTE: Authority cited: Sections 39600, 39601, 39607, and 41954, Health and Safety Code. Reference: Sections 39515, 41954, 41956.1, 41959, 41960 and 41960.2, Health and Safety Code.

Section 94148. Test Method for ~~Determining Flow Versus Pressure Relationship in Phase II Gasoline Vapor Recovery Systems of Dispensing Facilities~~ Pressure Integrity of Vapor Recovery Equipment.

The test method for determining flow versus pressure relationship for Phase II gasoline vapor recovery systems of dispensing facilities is set forth in the Air Resources Board's TP-201.2B, “~~Determination of Flow vs Pressure for Equipment in Phase II Vapor Recovery Systems of Dispensing Facilities~~ Pressure Integrity of Vapor Recovery Equipment” which is incorporated herein by reference. (Adopted: ~~[~~April 12, 1996~~]~~, as last amended February 1, 2001)~~.~~

NOTE: Authority cited: Sections 39600, 39601, 39607 and 41954, Health and Safety Code. Reference: Sections 39515, 39516, 39605, 39607, 40001 and 41954 Health and Safety Code.

Section 94149. Test Method for ~~Determination of~~ Spillage ~~of~~ from Phase II ~~Vapor Recovery~~ Systems ~~of Dispensing Facilities~~.

The test method for determining gasoline vapor emissions from spillage of Phase II vapor recovery systems of dispensing facilities is set forth in the Air Resources Board's TP-201.2C, "~~Determination of~~ Spillage ~~of~~ from Phase II ~~Vapor Recovery~~ Systems ~~of Dispensing Facilities~~" which is incorporated herein by reference. (Adopted: ~~[~~April 12, 1996~~]~~, as last amended February 1, 2001)~~.~~

NOTE: Authority cited: Sections 39600, 39601, 39607 and 41954, Health and Safety Code. Reference: Sections 39515, 39516, 39605, 39607, 40001 and 41954, Health and Safety Code.

Section 94154. Test Method for ~~Determination (by Volume Meter) of~~ Air to Liquid Volume Ratio ~~of Vapor Recovery Systems of Dispensing Facilities~~.

The test method for determining the air to liquid volume ratio of Phase II gasoline vapor recovery systems of dispensing facilities is set forth in the Air Resources Board's TP-201.5, "~~Determination (by Volume Meter) of~~ Air to Liquid Volume Ratio ~~of Vapor Recovery Systems of Dispensing Facilities~~" which is incorporated herein by reference. (Adopted: ~~[~~April 12, 1996~~]~~, as last amended February 1, 2001)

NOTE: Authority cited: Sections 39600, 39601, 39607 and 41954, Health and Safety Code. Reference: Sections 39515, 39516, 39605, 40001 and 41954, Health and Safety Code.

Adopt Section 94163, Article 2, Subchapter 8, Chapter 1, Division III, Title 17, California Code of Regulations to read:

Section 94163. Test Method for Pressure Integrity of Drop Tube Overfill Protection Devices.

The test method for determining the pressure integrity of drop tube overfill protection devices is set forth in the Air Resources Board's TP-201.2O “Pressure Integrity of Drop Tube Overfill Protection Devices” which is incorporated herein by reference. (Adopted: February 1, 2001)

NOTE: Authority cited: Sections 39600, 39601, 39607 and 41954, Health and Safety Code. Reference: Sections 39515, 39516, 39605, 40001 and 41954, Health and Safety Code.